

ASSIGNED

Serial No. 51137

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 23 1987

Returned to applicant for correction OCT 9 1987

Corrected application filed Map filed DEC 1 1987

The applicant CLIFFORD L. MATLEY FAMILY TRUST

4155 Allen Road of Fallon
Street and No. or P.O. Box No. City or TownNevada 89406 hereby make... application for permission to change the
State and Zip Code No.a place of use of a portion
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Truckee-Carson Irrigation District No. 128
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andUnited States of America v. Orr Water Ditch Co. in Equity No.
Identify right in Decree:A.3 Claim No. 3; United States of America v. Alpine Land &
Identify right in Decree:

Reservoir Co. D.C. No. D-183 BRT

- The source of water is Truckee River & Carson River
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 4.5 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$
Describe as being within a 40-acre subdivision of public survey and by course and
Section 33, Township 19 North, Range 26 East, M.D.B.&M.
distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within no change
If point of diversion is not changed, do not answer.
- Proposed place of use in Section 12, Township 18 North, Range 28 East,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
M.D.B.&M. 1.0 ac., SE $\frac{1}{4}$ SW $\frac{1}{4}$
- Existing place of use in Section 12, Township 18 North, Range 28 East,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B.&M. 1.0 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from as decreed to of each year.
Month and Day Month and Day
- Use was permitted from as decreed to of each year.
Month and Day Month and Day
- Description of proposed works: (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) dam, canal & ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.
- Estimated cost of works complete
- Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use.....2 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the
"L " Line Canal.

s/ David L. Matley
s/ Clifford L. Matley Family Trust
By Truckee-Carson Irrigation District
P.O. Box 1356
Fallon, NV 89406

Compared jm/pm pm/bc

Protested August 13, 1987 by the Pyramid Lake Paiute Tribe of Indians
Pro. overruled 4/14/89, Ruling No. 3598

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3598 dated April 14, 1989.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.5 acre-feet ~~cubic feet per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before May 26, 1991

Proof of completion of work shall be filed before June 26, 1991

Application of water to beneficial use shall be made on or before May 26, 1993

Proof of the application of water to beneficial use shall be filed on or before June 26, 1993

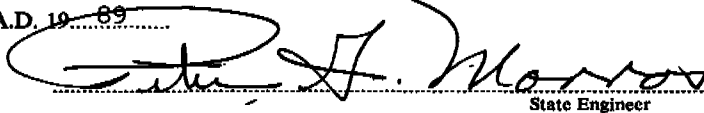
Map in support of proof of beneficial use shall be filed on or before June 26, 1993

Completion of work filed JUL 3 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 26th day of May

Cultural map filed

Certificate No. Issued

A.D. 19 89

State Engineer

2407 (Rev. 6-81)
See Supplemental Filing
on Remand #3778; 2/8/91